

## **MINUTES, LIMESTONE COUNTY COMMISSION, FEBRUARY 20, 2012**

The Limestone County Commission met in a special meeting today at 10:00 a.m. at the Clinton Street Courthouse Annex, 100 South Clinton Street, Athens, Alabama.

County Attorney, Mike Cole, conducted a public hearing concerning a resolution to permit the Chairman of the Limestone County Commission to enter into two agreements, each of which would provide for the conveyance of public land by the Limestone County Commission to private entities for the purpose of promoting economic and industrial development in Limestone County, with one of said agreements providing for conveyance by the Limestone County Commission of approximately 29 acres of unimproved land on the south side of Thomas L. Hammons Road to Carpenter Technology Corporation, a Delaware corporation, and the second of said agreements providing for conveyance by the Limestone County Commission of a tract of land on Donnie Drive, which includes a manufacturing building commonly referred to as "Delphi Building 22" to OAX, LLC, a Delaware limited liability company, provided, however, that said conveyance to OAX, LLC shall be made contingent upon OAX, LLC simultaneously conveying to Carpenter Technology Corporation a tract of land on Thomas L. Hammons Road, which includes a manufacturing building commonly referred to as "Delphi Building 23", with the conveyances proposed by each of said agreements each being contingent upon the other occurring, and which conveyances shall occur simultaneously.

No one spoke in favor of or against.

The public hearing was closed.

**MOTION** was made by Commissioner Bill Daws and seconded by Commissioner Gerald Barksdale to authorize the Chairman to execute the following resolution.

### **RESOLUTION**

**WHEREAS** the Limestone County Commission is the governing body of Limestone County, Alabama; and,

**WHEREAS**, this matter comes before the Limestone County Commission at a special meeting, duly noticed, for the purpose of considering whether the Limestone County Commission shall enter into two agreements, each of which, respectively, would provide for the conveyance of public land by the Limestone County Commission to private entities for the purpose of promoting economic and industrial development in Limestone County, with one of said agreements providing for conveyance by the Limestone County Commission of approximately 29 acres of unimproved land on the south side of Thomas L. Hammons Road to Carpenter Technology Corporation, a Delaware corporation, and the second of said agreements providing for the conveyance by the Limestone County Commission of a tract of land on Donnie Drive, which includes a manufacturing building commonly referred to as "Delphi Building 22" to OAX, LLC, a Delaware limited liability company, provided, however, that said conveyance to OAX, LLC shall be made contingent upon OAX, LLC simultaneously conveying to Carpenter Technology Corporation a tract of land on Thomas L. Hammons

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Road, which includes a manufacturing building commonly referred to as "Delphi Building 23", with the conveyances proposed by each of said agreements each being contingent upon the other occurring, and which conveyances shall occur simultaneously; and,

**WHEREAS**, OAX, LLC, and Carpenter Technology Corporation are private entities; and,

**WHEREAS**, the Limestone County Commission has determined that entering the two aforementioned agreements, and authorizing the Chairman of the Limestone County Commission to take such action and execute any and all such documents necessary to complete and perform same on behalf of Limestone County will serve a valid and sufficient public purpose, namely, the conveyance of the subject properties, real and/or personal, will promote and further economic and industrial development and provide for, among other things, the construction, development, and operation of industrial facilities in Limestone County, Alabama, notwithstanding any incidental benefit accruing to any private entity or entities; and,

**WHEREAS**, a motion was made by Commissioner Bill Daws and seconded by Commissioner Gerald Barksdale, to approve the Limestone County Commission entering two agreements, the first of which would provide for the conveyance of approximately 29 acres of unimproved land on the south side of Thomas L. Hammons Road to Carpenter Technology Corporation, a Delaware corporation, and the second of which would provide for the conveyance of a tract of land on Donnie Drive, which includes a manufacturing building commonly referred to as "Delphi Building 22", to OAX, LLC, a Delaware limited liability company, provided, however, that said conveyance to OAX, LLC shall be made contingent upon OAX, LLC simultaneously conveying to Carpenter Technology Corporation a tract of land on Thomas L. Hammons Road, which includes a manufacturing building commonly referred to as "Delphi Building 23", with the conveyances proposed by each of said agreements each being contingent upon the other occurring, and which conveyances shall occur simultaneously, and to approve the Chairman of the Limestone County Commission to take such action and execute any and all such documents necessary to complete and perform same on behalf of Limestone County; and,

**WHEREAS**, upon said motion and a second having been made in an open meeting of the Commission on the 20th day of February, 2012 with discussion had thereon and a vote having been taken, upon which vote said motion carried;

**NOW THEREFORE, BE IT RESOLVED BY THE LIMESTONE COUNTY COMMISSION** that the Chairman is authorized to enter two agreements, the first of which would provide for the conveyance of approximately 29 acres of unimproved land on the south side of Thomas L. Hammons Road to Carpenter Technology Corporation, a Delaware corporation, and the second of which would provide for the conveyance of a tract of land on Donnie Drive, which includes a manufacturing

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building commonly referred to as "Delphi Building 22", to OAX, LLC, a Delaware limited liability company, provided, however, that said conveyance to OAX, LLC shall be made contingent upon OAX, LLC simultaneously conveying to Carpenter Technology Corporation a tract of land on Thomas L. Hammons Road, which includes a manufacturing building commonly referred to as "Delphi Building 23", with the conveyances proposed by each of said agreements each being contingent upon the other occurring, and which conveyances shall occur simultaneously, and,

**BE IT FURTHER RESOLVED** that the Chairman is authorized take such action and execute any and all such documents necessary to complete and perform same on behalf of Limestone County.

The authority granted herein shall be in force and effect immediately upon passage of this Resolution.

**ADOPTED AND APPROVED** this 20<sup>th</sup> day of February, 2012.

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Limestone County Commission Chairman

ATTEST:

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County Clerk/Administrator

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

Tom Hill, Limestone County Economic Development Director, thanked the Commission for their work on the Carpenter Technology Project.

Chairman Stanley Menefee said he has received continued community support for the Carpenter Technology Project and reiterated the importance of landing CTC.

Mayor Ronnie Marks commended the County for overseeing the land swap agreement and stated the City stands ready to provide utilities with the power substation and gas.

Special Meeting was adjourned at 10:13 a.m.